

#### **IV. Remarks**

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 1-10 remain pending.

#### *Amendments to the Drawings*

The Examiner objected to the drawings for not particularly showing the pleat as claimed in claim 2 and for the use of cross-hatching over a hollow vent opening. Figures 3 and 4 of the drawing have been amended to remove the cross-hatching and hidden lines have been added to more clearly illustrate the structure of the tuck feature. In addition, feature 9a has been added to Figure 3 in order to illustrate the pleat described by paragraph [0038] and claimed in claim 2. It is respectfully submitted that no new matter has been introduced to the application.

#### *Specification*

In the Office Action, the Examiner objected to the specification because it was not clear what was meant by “a non-tapering pleat.” As a result paragraph [0038] has been amended to clarify the features referred to as a tuck and a non-tapering pleat. Original paragraph [0038] refers to an alternate, non-tapering, embodiment of the tuck 9 referred to as a pleat. Amended paragraph [0038] incorporates the term “tapered tuck 9,” as first referenced in paragraph [0031], and associates the “non-tapering pleat” with reference character 9a of amended Figure 3. In addition, the appropriate, existing reference characters have been

added to the terms "material," "periphery," and "vent hole." Since all of the above features were previously described in the original specification, it is respectfully submitted that no new matter has been introduced to the application.

*Claim Rejections - 35 U.S.C. § 112*

Claim 2 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Paragraph [0038] and Figure 3 have been amended to clarify the subject matter described in the present application. Accordingly, it is believed that this rejection is now moot and should be withdrawn.

*Claim Rejections - 35 U.S.C. § 102(b)*

Claims 1, 5, 6, 7 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by JP2001-277991 ("JP '991"). Applicant respectfully traverses these rejections.

As noted by the Examiner, JP '991 discloses an airbag 1 having vent holes 5 with a portion 6 that extends higher than the surface of the airbag. See JP '991 Figure 1. The portion 6 is made from a separate piece of material stitched to the airbag 1 around the perimeter 7 of the vent hole 5. *Id.* From this, it is submitted that JP '991 fails to disclose an airbag with a tuck formed *in* the material of the air bag as a result of a first part of the vent hole being shorter than a second part of the vent hole, thereby causing the second part to extend outward from the interior of the airbag. The rejection based thereon should be accordingly withdrawn.

*Claim Rejections - 35 U.S.C. §103(a)*

Claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over JP07-329694 ("JP '694") in view of JP2001-277991 ("JP '991"). Applicant respectfully traverses this rejection.

As noted by the Examiner, JP '694 discloses an airbag having a fold 13. See JP '694 Figure 6. Unlike the present invention, the fold 13 of JP '694 is not in the region of a vent hole such that the fold 13 shortens a first part of the hole relative to a second part. Therefore, JP '694 individually and when combined with JP '991, fails to disclose or suggest the features lacking in JP '991, namely a tuck formed *in* the material of the air bag as a result of a first part of the vent hole being shorter than a second part of the vent hole, thereby causing the second part to extend outward from the interior of the airbag.

In that JP '694 fails to disclose or suggest the feature which was previously noted as being absent in JP '991, it must be concluded that the combination of JP '694 in view of JP '991 cannot render the claims of the present application as obvious. The rejection under § 103 is therefore improper and should be withdrawn.

*Conclusion*

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

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Date

Respectfully submitted,



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Attachments: 3 Sheets of Replacement Drawings